

**REGULAR CITY COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, AUGUST 18, 2009**

The City Council of the City of Leon Valley, Texas, met on the 18<sup>th</sup> day of August 2009 at 7:00 p.m. at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

**REGULAR CITY COUNCIL MEETING - 7:00 P.M.**

---

**Call to order and Pledge of Allegiance.**

Mayor Riley called the Regular City Council Meeting to order at 7:00 p.m. and asked that the minutes reflect that the following members of Council were present: Garcia, Reyna, Baldrige, Dean and Nelson.

City Manager Lambert, City Secretary Feutz, Police Chief Wallace, Fire Chief Irwin, Public Works Director Vick, City Accountant Wallace, Community Development Director Flores, Economic Development Director Ryan, HR Officer/Asst. City Secretary Caldera, and Assistant City Attorney Onion were also present.

Mayor Riley welcomed members of Boy Scout Troop # 536 to the meeting and asked them to lead the assembled group in reciting the Pledge of Allegiance.

**Citizens to be heard and time for objections to the Consent Agenda.**

Mayor Riley asked Councilmembers if they wished for anything on the Consent Agenda to be removed for further discussion. She explained the purpose of the Consent Agenda and the Citizens to be Heard portions of the meeting to the audience. Hearing no requests to have any Consent Agenda items removed for discussion, Mayor Riley asked if anyone in the audience wished to address the Council

Seeing no one come forward for the "Citizens to be heard" portion of the meeting, Mayor Riley asked for a motion to approve the following Consent Agenda items:

**Consent Agenda**

**Consider approval of the minutes for the Special and Regular City Council meetings of August 4, 2009 (Feutz).**

**Consider action on an Ordinance appointing a member to the Community Events Committee - Cody Rokahr (Mayor Riley).**

**Consider action on M&C # 08-01-09 - with attached Resolution - a request to approve city co-sponsorship, with American Legion Post # 336, for a Patriot Day event on Sept. 11, 2009 at the Conference Center (City Attorney).**

**Consider action on M&C # 08-06-09 with attached Resolution - a request to approve the Leon Valley Economic Development Corporation's established Bylaws (Davis/Ryan).**

**REGULAR CITY COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, AUGUST 18, 2009**

**Consider action on M&C # 08-07-09 with attached Ordinance - a request to authorize the City Manager to enter into a REVISED service agreement between the City of Leon Valley and the Leon Valley Economic Development Corporation (Davis/Ryan).**

**Consider action on M&C # 08-08-09 with attached Ordinance - a request to approve budget adjustments for the Police Forfeiture Fund to purchase police equipment. (Chief Wallace).**

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to approve the Consent Agenda items. Upon unanimous vote, Mayor Riley announced the motion carried.

**Action Agenda**

**Consider action on a request to approve a Resolution of support and partnership with the 2010 Census (Flores).**

**A. Presentation by Lupe Ochoa, Census Partnership Specialist, U.S. Census Bureau.**

Community Development Director Flores introduced Mary Jane Lopez from the Census Bureau, who has asked the City to join in a partnership agreement.

Ms. Lopez address Council and showed a short video on the importance of the census and of everyone's participation in the census questionnaire.

Census Bureau representative Sophia Morena also addressed Council asking for their support in encouraging the community to support the Census and to answer their questionnaires. She informed Council that the questionnaires would do out to the public in the mail in March 2010 and would be due back by April 1, 2010.

**B. Council considers action.**

A motion was made by Councilman Reyna, seconded by Councilmember Baldrige, to approve a Resolution of support and partnership for the 2010 Census. Upon vote, Mayor Riley announced the motion carried.

**Consider action on M&C # 08-02-09 - a request to award the bid for the employee group health insurance program following a presentation from City's insurance agent of record. This item was postponed from the August 4, 2009 meeting so that Council could receive input from the employees on recommended plans. (Mullen and Associates).**

Mayor Riley welcomed Kent Scherzinger, from Mullen and Associates, who reviewed features of the insurance plans recommended from Blue Cross/Blue Shield and Humana Insurance companies. He presented basic options and "buy-up" plan features and introduced representatives from both companies who were present in the audience.

HR Officer Caldera presented information on a survey sent to all employees which asked which insurance plan they preferred - Blue Cross/Blue Shield plans or Humana plans. She reported

**REGULAR CITY COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, AUGUST 18, 2009**

that 86 employees returned their survey and 71% preferred the Blue Cross/Blue Shield option, 21% preferred the Humana option, and 7% had no preference.

Following discussion, a motion was made by Councilman Dean, seconded by Councilmember Baldrige, to accept the proposed plans by Blue Cross/Blue Shield for the employees' medical, dental and life insurances as presented. Councilman Reyna recommended that the Council accept the Broker's advice. Upon roll call vote, the vote was as follows: Councilmembers Garcia, Baldrige, Dean, and Nelson for the motion and Councilman Reyna announced that he was abstaining from voting. Mayor Riley announced the motion carried and thanked both insurance company representatives for their work and also Mr. Scherzinger for his work.

**Public hearing on the proposed budgets for Fiscal Year 2010 (October 1, 2009 - September 30, 2010) (Lambert).**

City Manager Lambert presented overviews of the FY 2010 budgets, providing details of the proposed revenues and expenditures. He stated that the budget: did not include any proposed increase in the ad valorem tax rate, reflected savings from the new group health insurance for employees, a decrease in the workers' compensation premiums, an increase in the retirement program, included no merit or longevity pay increases, included \$200,000 in the Council's budget for contingencies, and now included a 2.5% cost of living increase in pay for employees. Mr. Lambert reviewed the adopted 2008 tax rates of other area cities, the estimated value of homes with their tax rates frozen, and stated that with the proposed tax rate of 0.527400, the average Leon Valley home would see a tax decrease in the next year of \$1.79. Budgets were reviewed for each department and included the capital expenses to be funded in FY 2010: a utility vehicle for Public Works, sidewalk construction, air packs and a new defibrillator for the Fire Department, police vehicles to be funded from the Forfeiture Fund, and library books. Mr. Lambert stated that FY 2010 would be the 4<sup>th</sup> year of five-year water and sewer rate adjustment plan that will increase the water and sewer rates by 3%. He noted that the water supply fee and the Edwards Aquifer Fees would also increase by 3%, yielding an increase to the average residential customer in Leon Valley of \$19.44 annually. Rates for water and sewer of area cities were illustrated to compare with those of Leon Valley. In conclusion, Mr. Lambert asked Council what kind of cost of living adjustment (COLA) increase would they like to consider for employees, as the savings from the insurance programs would yield a savings that would cover the costs for a 2.5% for the employees in FY 2010.

Mayor Riley opened the public hearing at 8:04 p.m. and invited anyone from the audience to come forward to address Council on the proposed budget. Seeing no one, Mayor Riley closed the public hearing at 8:05 p.m.

**Consider action on M&C # 08-09-09 with attached Ordinance - a request for approval and adoption of the proposed Fiscal Year 2010 Budget (Lambert).**

Mayor Riley asked for Council's decision for the proposed FY 2010 Budget. Following discussion, a motion was made Councilmember Baldrige, seconded by Councilmember Dean, to accept the budget as presented to include a 2.5% cost of living adjustment for employees in the FY 2010 budget.

**REGULAR CITY COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, AUGUST 18, 2009**

**Consider action on M&C # 08-10-09 - with attached ordinances - setting the 2009 tax rate for the Maintenance and Operation Fund at \$.464029 and the Interest and Sinking Fund at \$.063371 for a total tax rate of \$.527400 (Lambert).**

City Accountant Wallace informed Council that the City is well below the effective tax rate; therefore, no public hearings on the tax rate are required.

A motion was made by Councilman Garcia, seconded by Councilman Reyna, to adopt the 2009 tax rate of \$.527400, the Maintenance and Operations fund portion of which is \$.464029. The roll call vote was as follows: Councilmembers Garcia, Reyna, Baldrige, Dean and Nelson all voted for the motion. Mayor Riley announced the Maintenance and Operation Fund portion of the tax rate was approved as presented.

A motion was made by Councilman Garcia, seconded by Councilman Reyna, to adopt the 2009 tax rate of \$.527400, the Interest and Sinking Fund portion of which is \$.063371. The roll call vote was as follows: Councilmembers Garcia, Reyna, Baldrige, Dean and Nelson all voted for the motion. Mayor Riley announced the Interest and Sinking Fund portion of the tax rate was approved as presented.

**Consider action on M&C # 08-11-09 - a request to authorize the City Manager to enter into contract for professional services for website design, construction, and maintenance. (Lambert).**

City Manager Lambert addressed Council stating that 17 proposals were received following the City's solicitation of proposals from the public. He asked Council to consider three things: make an award, narrow the list and ask for interviews for those few vendors, or reject and revise the specs to accept new proposals. He reported that with a new company, the City would have to pay to have the site rebuilt and pay for the existing provider's fees for continuing the site until the new site was rebuilt, which could take up to six months depending on the company selected. Mr. Lambert reported that the maintenance fees that would match the proposal's requested 20 hours per week were not always quoted in each company's proposal.

Councilmembers discussed any room for negotiation with the current website management provider, the number of hours to keep the website up to date, and the time it would take to rebuild any new site.

Council asked the owner of Emage Craft, Phillip Manea, who was present in the audience, if he would consider a lower monthly maintenance fee and Mr. Manea explained the work required to keep the site updated and fresh.

A motion was made by Councilmember Dean, seconded by Councilman Garcia, to award the two-year contract for management of the City's website to Emage Craft and to authorize the City Manager to negotiate a contract. Upon unanimous vote, Mayor Riley announced the motion carried.

**Consider action on a Resolution nominating one to five candidates to be considered for election to the Bexar Appraisal District Board of Directors for 2010 - 2011 (Lambert).**

**REGULAR CITY COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, AUGUST 18, 2009**

City Manager Lambert addressed Council stating that every year the Bexar Appraisal District asks the City if they wish to nominate anyone to appear on the election ballot for the Board of Directors.

Following discussion, a motion was made by Councilman Reyna, seconded by Councilmember Dean, to postpone any action on the request for nominations to an indefinite time subject to the call of the chair. Upon vote, Mayor Riley announced the motion carried.

**Discussion Agenda**

**Discussion on use of Pods in residential and commercial areas (Lambert).**

Mayor Riley reported that she has received calls from residents about the number of PODS appearing throughout the City and she reported that she felt the PODS detracted from the appearance of the neighborhoods.

Community Development Director Flores explained that the City does not have regulations specifically for Portable On Demand Storage (PODS) units. She explained that other outside storage rules require the items to be behind a fence. She reported that Council could tighten regulations on outside storage through permitting, limiting the time PODS are allowed on site, or require these storage units to be behind fences. She reported that no other local cities were found to permit PODS, but did she reported on permitting restrictions used in one Pennsylvania city.

Council discussion followed on what restrictions are placed on roll-offs on commercial properties, considering a grace period to allow some use of PODS-type structures, pursuing a solution that would be line with the City's mission statement, limiting the number of days PODS are permitted on residential sites, and why the units are used. It was recommended that staff return with a proposal for Council consideration.

**City Manager's report (Lambert).**

**A. Monthly Financial Report - July 2009.**

City Manager Lambert presented information on the July 2009 revenue and expenditures. He reported that the City has a healthy fund balance but sales tax continues to be, on the average, 3% - 5% less than last year. He reported that community and conference center rentals remain good.

Discussion with Council continued concerning loss of revenue if any fees are waived because the use of one of the centers is for a public purpose. Council recommended that in the future, deposits be collected and that the group using the center with any fee waiver must clean the center so that the City is not responsible for cleaning the center and if the center is not clean, the deposit can be used to pay for cleaning.

Economic Development Director Ryan reported that the grant deadline for funds to replace the flooring in the conference center was due September 11, 2009, but if the grant is not successful, staff will ask for a budget adjustment for flooring replacement in the future.

**B. Department Monthly Reports - July 2009.**

**REGULAR CITY COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, AUGUST 18, 2009**

Mr. Lambert presented highlights from each department for the month of July. Public Works Director Vick gave an oral presentation on the July 2009 monthly report for the Public Works Department and answered questions about Public Works projects for Council.

**C. 2010 Contract Renewals.**

Mr. Lambert asked Council if they wished staff to solicit proposals for the following services and explained the current contracts for each one:

- 1. City Building Inspector - B. Bealor.**
- 2. City Health Inspector - D. Michel.**
- 3. Engineer Services Consultant - SIA Engineering.**
- 4. City Veterinarian - Dr. Meier.**
- 5. Stormwater Management Consultant - R. Tome.**

Council expressed no objections to renewing the contracts presented by the City Manager. Council discussion recommended that changes be made to the City Code so that it will be consistent with state law regarding requirements for purchasing and contract requirements for bids/proposals in the future.

City Manager Lambert announced a new employee recognition program "Employee of the Month" and that the first award would be announced in September 2009.

**Citizens to be heard.**

No one came forward to speak.

**Announcements by Councilmembers and Mayor.**

**A. Meeting with City Councilman Justin Rodriguez - Aug. 11, 2009.**

Mayor Riley reported on highlights of her meeting with San Antonio's Councilman Rodriguez.

**B. Tree Advisory Board Meeting Aug. 19, 2009 and Tree Program Sept. 2, 2009.**

Mayor Riley announced progress being made by the Tree Advisory Board and their upcoming public program scheduled for September 2, 2009 and to address Oak Wilt prevention.

**C. VIA Long-Range Planning Meetings Aug. 31, 2009 - Sept. 3, 2009.**

Mayor Riley announced VIA's upcoming long-range planning meetings scheduled for the end of the month and early next month and announced that Mr. Uvietta would be serving on one of the advisory committees for this process.

**D. MPO "Complete Streets" Program**

Mayor Riley announced the MPO's plans for their "Complete Streets" program which promotes multi-modal needs of the community so that sidewalks, bike lanes, and safe pedestrian ways are incorporated in transportation plans.

Mayor Riley, Councilmembers and the audience wished Councilman Reyna a "Happy Birthday".

**REGULAR CITY COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, AUGUST 18, 2009**

**Adjourn.**

Hearing no further business or discussion, a motion was made by Councilman Reyna, seconded by Councilmember Dean, to adjourn the meeting. Mayor Riley announced the meeting adjourned at 9:12 p.m.

Mayor Chris Riley

City Secretary Marie Feutz

*Approved by vote of City Council at the Sept. 1, 2009 Regular City Council Meeting.*